

**COMMONWEALTH OF PUERTO RICO
PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

<p>NEPR</p> <p>Received:</p> <p>Jun 26, 2022</p> <p>6:13 PM</p>

IN RE: REVIEW OF LUMA’S INITIAL
BUDGETS

CASE NO. NEPR-MI-2021-0004

SUBJECT: Request for Extension of Time to Submit Responses in Compliance with Resolution and Order of June 22, 2022.

REQUEST FOR EXTENSION OF TIME TO SUBMIT RESPONSES IN COMPLIANCE WITH RESOLUTION AND ORDER OF JUNE 22, 2022.

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and LUMA Energy ServCo, LLC (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

1. On July 16, 2021, LUMA filed before the Honorable Puerto Rico Energy Bureau (“Energy Bureau”), a *Request for Modification of Fiscal Year 2022 Budget* (“Modification Request”). LUMA petitioned that the Energy Bureau approve a revised Fiscal Year 2022 Budget to conform it to the Fiscal Oversight and Management Board’s (“FOMB”) Amended Puerto Rico Electric Power Authority (“PREPA”) Budget for Fiscal Year 2022, as certified by the FOMB on June 30, 2021.

2. On September 17, 2021, LUMA filed a motion whereby it submitted a revised version of the Modification Request (“Revised Modification Request”), as Exhibit A.¹

¹ Additionally, in compliance with the September 9th Order, as Exhibit B of the September 17th Motion, LUMA submitted responses to the requests for information identified in Attachment A of the September 9th Order (“Responses to Attachment A to the September 9th Order”).

3. On January 21, 2022, this Energy Bureau issued a Resolution and Order with the subject *Evaluation of LUMA's September 17, 2021, Motion in Compliance with Order* (January 21st Order on LUMA's Revised Modification Request"). Within the Resolution and Order, the Energy Bureau ordered PREPA to respond on or before February 18, 2022 to certain requests for information included as part of the September 9, 2021 Resolution and Order and ordered LUMA to undertake an evaluation of the load forecast and advise the Energy Bureau of the results. The January 21st Order on LUMA's Revised Modification Request did not include a specific deadline for the submission of the basis for LUMA's determination regarding the updated load forecast.²

4. On May 26, 2022, LUMA submitted to this Energy Bureau its response to the Energy Bureau's request regarding an independent assessment of the load forecast in response to one of the 116 Requirements for Information issued by his Energy Bureau as part of a Resolution and Order entered on May 19, 2022 in the instant proceeding.

5. On June 6, 2022, LUMA submitted a Revised Budget Amendment for FY 2022 ("LUMA's Revised Budget Amendment").

6. In a Resolution and Order dated June 22, 2022, sixteen (16) days after receiving the Revised Budget Amendment for FY 2022, and notified to counsel for LUMA at 5:44 pm, this Energy Bureau required that on or before Monday, June 27, 2022, LUMA shall submit responses to a request for information dealing with the Energy Bureau's order to submit an independent assessment of the load forecast and a request for information regarding LUMA's Revised Budget

² It should also be noted that as part of the timeline submitted by LUMA on September 13, 2021 in Case No. NEPR-MI-2021-0001, *In re: Review of the T&D System's Operation Principles*, LUMA contemplated the completion of phase 2 of the System Operation Plan ("SOP"), which included the assessment of current methods and evaluation of future methodologies, by the end of FY2022. This Energy Bureau held a compliance technical hearing on September 17, 2022 to discuss the SOP and did not modify such proposal.

Amendment that includes four requests for information with fourteen (14) questions (“June 22nd Request for Information”).

7. This Energy Bureau granted LUMA three business days to review the requests for information and prepare its responses to the June 22nd Request for Information. LUMA has been working diligently to provide a timely response to the June 22nd Request for Information. The time granted by this Energy Bureau of three business days, however, is not reasonably sufficient for LUMA to prepare its responses.

8. As this Energy Bureau is aware, during the past week, LUMA has participated in one technical compliance hearing (NEPR-MI-2021-0013, *In re: Despliegue de Infraestructura de Cargadores para Vehículos Eléctricos*) and two technical conferences (NEPR-MI-2021-0009, *In re: Puerto Rico Test for Demand Response and Energy Efficiency* and NEPR-MI-2020-0001, *In re: Puerto Rico Electric Power Authority’s Permanent Rate*) which require preparation and appearance time.

9. LUMA has also been working and completing several regulatory filings in the last two weeks, to wit:

- a. Case No. NEPR-2020-MI-0012, *In re: Implementation of the Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan:*
 - i. *Urgent Motion Requesting Reconsideration of Energy Bureau’s Resolution and Order of June 13, 2022, and Stay of All Directives Therein;*
- b. Case No. NEPR-MI-2021-0009, *In re: Puerto Rico Test for Demand Response and Energy Efficiency:*
 - i. *Motion Submitting Proposed EE/DR Transition Period Plan;*
- c. Case No. NEPR-MI-2020-0001, *In re: Puerto Rico Electric Power Authority’s Permanent Rate:*
 - i. *Motion in compliance with Resolution and Order of June 6, 2022;*

- ii. *Motion Submitting Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors and Request for Confidential Treatment;*
 - iii. *Motion Submitting Revised Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors and Request for Confidential Treatment;*
 - iv. *Motion in Compliance with Resolution and Order of June 17, 2022 and Request for Confidential Treatment;*
 - v. *Motion to Supplement Motion in Compliance with Resolution and Order of June 17, 2022, and Request for Confidential Treatment;*
 - vi. *Opposition to “Urgente Solicitud para Posposición de Conferencia Técnica”;* and
 - vii. *Motion in Compliance with Resolution and Order of June 22, 2022.*³
- d. Case No. NEPR-AP-2020-0025, *In re: Performance Targets for LUMA Energy ServCo LLC:*
- i. *Opposition to LECO’s Motion for Imposition of Penalties as part of LUMA’s Performance Based Mechanism;* and
 - ii. *Reply to Response to LUMA’s Motion to Strike Portions of Supplemental Expert Testimony of Agustín Irizarry-Rivera.*

10. In addition, LUMA continued working on the proposed annual budget for FY2023 with the Puerto Rico Electric Power Authority, the Public-Private Partnerships Authority and the Fiscal Oversight Management Board by participating in over ten (10) meetings and work sessions during the past two weeks.

11. The above-described actions have required a considerable investment of time and resources which directly impacts LUMA’s ability to comply with the short timeframe provided by the Energy Bureau to comply with a Resolution and Order notified on June 22nd at 5:44pm.

12. Considering the foregoing, to ensure accuracy and completeness of its responses, LUMA requires an extension of time until July 6, 2022, to file with this Energy Bureau its responses to the June 22nd Request for Information.

³These filings were in addition to those dated May 31, 2022 in the same proceeding.

13. This request is submitted in good faith to further LUMA's ability to prepare and file its response to the June 22nd Request for Information.

WHEREFORE, LUMA respectfully request that this Energy Bureau extend the deadline to submit its responses to the June 22nd Request for Information up to and including July 6, 2022.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this June 26, 2022.

I hereby certify that I filed this Petition using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Petition to the attorneys for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; and Katuska Bolaños-Lugo, kbolanos@diazvaz.law.



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